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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/702,963	10/31/2000	Gary C. Hess	2	8994

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EXAMINER
KERVEROS, JAMES C

ART UNIT	PAPER NUMBER
2133	

DATE MAILED: 04/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/702,963	HESS, GARY C.
	Examiner	Art Unit
	JAMES C. KERVEROS	2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 March 2005*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is

closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-38* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *01 April 0402* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage

      application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

This is a non-final Office Action in response to Amendment filed 3/15/2005, in reply to the prior Office Action mailed 12/15/2004.

Claim 4 has been amended. Claims 1-38 are still pending and are hereby presented for examination.

Prior Office Action Objection of the specification is hereby withdrawn, in response to the Amendment of the abstract of the disclosure.

Prior Office Action Claim Objection is hereby withdrawn, in response to the Amendment of claim 4.

Prior Office Action art rejection, Claims 1-29, 31-35, 37 and 38 rejected under 35 U.S.C. 102(b) as being anticipated by Garner et al. (U.S. Patent No. 5,745,501), and

Claims 30 and 36 rejected under 35 U.S.C. 103(a) as being unpatentable over Garner et al. U.S. Patent No. 5,745,501), is hereby withdrawn, because of new art by Boughner et al. (U.S. Patent No. 5,983,001, issued: November 9, 1999), under new grounds of rejection, as set forth in the present Office Action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boughner et al. (U.S. Patent No. 5,983,001) in view of Garner et al. (U.S. Patent No. 5,745,501).

Regarding independent Claims 1, 11, 19, 27, 35, Boughner substantially discloses a method and system for facilitating the automatic creation of test scripts, Figures 2, 5 and 6, comprising:

Inputting stimulus values, such as an event description protocol containing information related to an event, an object, and a location description, into a test script generator 235, Figure 6.

Converting the stimulus values, using test script generator 235, which receives converted information of an object and creates appropriate test script commands. The test script generator reads the information out of a buffer and translates the information into a (TCL) script.

Boughner does not explicitly specify, "inputting a model of a computer component object behavior into a test generator". However, Garner discloses a module models at block 208 combined with module test stimuli of block 202 to produce the module test patterns at block 212.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine a module model with a test stimuli as taught by Garner, in the test script generator of Boughner, for the purpose of creating appropriate test script commands for graphical user interface (GUI) testing and simulation, since a

test script is a series of commands that instruct the GUI program to generate simulated

events. The simulated events are then processed by GUI program, where the result of

the processing is used to test whether the GUI program is working as expected.

Regarding Claims 2-4, 12, 20, 33, Boughner discloses tester input (device 203)

to input information, when a user takes an action on the GUI 209 using the input device

203. The operating system 233 captures this input, determines that it was initiated on

the GUI 209, and sends the input to the display server 217 for processing, which

examines the input, determines what action was taken on the GUI 209, and creates a

corresponding event, Figure 2.

Regarding Claims 5, 13, 21, 29, Boughner does not explicitly disclose a modeler

that designs a model. However, Garner discloses a module models at block 208

combined with module test stimuli of block 202 to produce the module test patterns at

block 212. It would have been obvious to combine Boughner and Garner, for the same

obvious and motivational reasons, as described in the independent claims 1, 11, 19, 27,

35, above.

Regarding Claims 6, 7, 34, Boughner substantially discloses converting stimulus

values, using test script generator 235, which receives converted information of an

object and creates appropriate test script commands. The test script generator reads

the information out of a buffer and translates the information into a (TCL) script.

Boughner does not explicitly disclose a modeler. However, Garner discloses a

module models at block 208 combined with module test stimuli of block 202 to produce

the module test patterns at block 212. It would have been obvious to combine Boughner

and Garner, for the same obvious and motivational reasons, as described in the

independent claims 1, 11, 19, 27, 35, above.

Regarding Claims 8, 14, 16, 22, 24, 28, Boughner discloses a computer 201,

which executes the test script according to the flow diagram, as shown in Figure 5,

using test script generator 235, Figure 2.

Regarding Claims 9, 10, 17, 18, 25, 26, Boughner discloses the results are

generated in a computer network (200) that includes the computer component (201) in

response to the executed test script, using test script generator 235.

Regarding Claims 15, 23, Boughner discloses generating test script in response

to the system and the testing requirements, using test script generator 235, which

receives converted information of an object and creates appropriate test script

commands. The test script generator reads the information out of a buffer and

translates the information into a (TCL) script.

Regarding Claims 31, 32, 37, 38, Boughner discloses a computer component

object, such as graphical user interface (GUI) 209.

Regarding Claim 30, 36, Boughner discloses wherein the object behavior of a

graphical user interface (GUI) 209 is the computer component object behavior, Figure 2.

Response to Arguments

Applicant's arguments, see Amendment filed 3/15/2005, with respect to the

rejections of claims 1-29, 31-35, 37, 38 rejected under 35 U.S.C. 102(b) as being

anticipated by Garner et al. (U.S. Patent No. 5,745,501) and claims 30, 36 rejected

under 35 U.S.C. 103(a) as being unpatentable over Garner et al. (U.S. Patent No.

5,745,501) have been fully considered and are persuasive. Therefore, the rejection has

been withdrawn. However, upon further consideration, a new grounds of rejection is

made in view of claims 1-38 rejected under 35 U.S.C. 103(a) as being unpatentable

over Boughner et al. (U.S. Patent No. 5,983,001) in view of Garner et al. (U.S. Patent

No. 5,745,501).

In response to Applicant's argument, in light of further prior art clarification with

respect to the claimed invention, the Examiner agrees that Garner does not teach the

limitation of converting the stimulus values and the model of a computer component

object behavior to test script. However, under new grounds of rejection, 35 U.S.C.

103(a), as set forth in the present Office Action, Boughner et al. (U.S. Patent No.

5,983,001) discloses test script generator 235, which receives converted information of

an object and creates appropriate test script commands. The test script generator reads

the information out of a buffer and translates the information into a (TCL) script.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to JAMES C. KERVEROS whose telephone number is

(571) 272-3824. The examiner can normally be reached on 9:00 AM TO 5:00 PM.
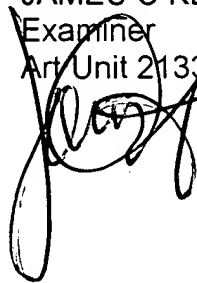
If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Albert Decady can be reached on (571) 272-3819. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

JAMES C KERVEROS
Examiner
Art Unit 2133

April 19, 2005
Non-Final Rejection

GUY LAMARRE
PRIMARY EXAMINER